

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION**

NITISH S. BANGALORE, *et al.*,

Plaintiff,

Case No. 2:20-cv-00893

v.

Hon. Pamela Pepper

FROEDTERT HEALTH, INC., THE BOARD
OF DIRECTORS OF FROEDTERT HEALTH,
INC., and FROEDTERT HEALTH, INC.
BENEFIT PLAN COMMITTEE,

Defendants.

**DEFENDANTS' MOTION TO DISMISS
PLAINTIFF'S CLASS ACTION COMPLAINT**

Defendants Froedtert Health, Inc., Froedtert Health, Inc. Board of Directors, and Benefit Plan Committee (collectively, "Defendants"), by and through their undersigned counsel, hereby move to dismiss Plaintiff Nitish S. Bangalore's Class Action Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).

For the reasons set forth in the accompanying Memorandum in Support of Defendants' Motion to Dismiss Plaintiff's Class Action Complaint, the Court should dismiss the Class Action Complaint in its entirety and with prejudice because Plaintiff lacks Article III standing to assert certain of his claims and because the Class Action Complaint fails to state any plausible claim upon which relief can be granted.

WHEREFORE, Defendants respectfully request that the Court dismiss the Class Action Complaint with prejudice.

Dated: September 4, 2020

Respectfully submitted,

/s/ Nancy G. Ross

Nancy G. Ross

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on September 4, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing to all counsel of record.

/s/ Nancy G. Ross
Nancy G. Ross